

**HAMPTON ZONING BOARD OF ADJUSTMENT
MINUTES
February 21, 2013**

Members Present

Tom McGuirk, Acting Chairman
Jack Lessard (Alternate)
Bryan Provencal
Ed St. Pierre

Others Present

Kevin Schultz, Building Inspector
Joan Rice, Secretary

Chairman McGuirk called the meeting to order at 7:20 p.m.

Board members were introduced.

The Pledge of Allegiance was said.

PETITION SESSION

Chairman McGuirk said the applicant for Petition 09-13 has requested to be continued. The applicant would like to have at least four full-time members of the Board present to vote.

Moved by Mr. St. Pierre, seconded by Mr. Lessard, to continue Petition 09-13 until the March meeting. The applicant, if so desired, can declare another extension to the April meeting.

Vote: 3 yes, 0 no, 1 abstention (Provencal). Motion passed.

06-13...The petition of Aquarion Water Company through AT&T Mobility for property located at Exeter Road Water Tower off Falcone Circle seeking special exception from Article 16 of the Hampton Zoning Ordinance to add three (3) new antennas to their existing cell site affixed to the existing water tank for a total of nine (9) antennas. AT&T also proposes to add surge arrestors and remote radio heads (RRH) as part of the overall facility upgrade. AT&T also proposes to add one indoor radio rack within the existing equipment shelter. This property is located on Map 053, Lot 001 and in an Industrial Zone.

Mike Johnson, representing AT&T Mobile, came forward. Mr. St. Pierre said he is an employee of Verizon Communications and felt he could bring something to the table on the petition. He said he had been in the business for 20 years, has a bachelor's degree and understands the technology. However, if the applicant wished him to step down he would do so. Mr. Johnson said that would not be necessary.

Mr. Johnson said they want to add three new antennas to their site. These antennas will be the same height as those now existing. They are proposing to put some new equipment

within the existing equipment shelter. No height will be added to the tower and there will be no changes to the site plan or parking. Mr. Johnson went through the five criteria and said he felt they had been met.

Questions from the Board

Mr. St. Pierre asked if there would be anyone else on site. Mr. Johnson said Verizon would be on site as AT&T does not have exclusive rights. Mr. St. Pierre asked if the Town as well as the highway would be serviced. Mr. Johnson said it would. The antennas do cover Hampton.

Mr. Lessard said he approved of this petition.

Comments from the Audience

There were no comments from the Audience.

Back to the Board

Moved by Mr. Lessard, seconded by Mr. Provencal, to grant Petition 06-13,

Chairman McGuirk asked the Board if they felt the five criteria had been met. All members agreed that they had.

Vote: 4 yes, 0 no. Motion passed unanimously.

07-13...The petition of Michael D. Smith for property located at 515 Winnacunnet Road, Unit #10, seeking relief from Article VIII as to 8.2.3 and Article 4.5.2 to tear down the existing one (1) story building and replace it with a two (2) story building that uses the exact same footprint as the existing building. This property is located on Map 222, Lot 118, and in a RB Zone.

Michael Smith, Petitioner, came forward. Mr. Smith said he wants to tear down the existing building and replace it with a two-story structure in the existing footprint. Mr. Smith went through the five criteria and said he felt they had been met.

Questions from the Board

Mr. St. Pierre asked if a room would be built underneath the deck. Mr. Smith said the deck is considered part of the existing building that can be covered. Mr. St. Pierre said he felt

this was inaccurate. Chairman McGuirk said this would be expanding on the current footprint. Mr. St. Pierre asked what the lot size was. Mr. Smith said he did not have that information.

Comments from the Audience

There were no comments from the Audience.

Back to the Board

Mr. St. Pierre said he had a problem with the deck on the back. Mr. St. Pierre said he saw another inaccuracy regarding distance from the wetlands.

Chairman McGuirk said he agreed with Mr. St. Pierre regarding the deck. He asked Mr. Smith if he would be agreeable to not putting the deck on the back. Mr. Smith said he would agree to that.

Moved by Mr. St. Pierre, seconded by Mr. Provencal, to grant Petition 07-13 with the stipulation that there be no rear deck.

Chairman McGuirk asked the Board if they felt the five criteria had been met. All members agreed that they had.

Vote: 4 yes, 0 no. Motion passed unanimously.

08-13...The petition of Leo & Terri Perrin for property located at 40 Mooring Drive seeking relief from Article I, Section 1.3 and Article IV, Section 4.5.2 and 4.5.3 to construct a 12' x 25' three season room. Requesting a 5' rear setback. This property is located on Map 290, Lot 89 and in a RB Zone.

Leo and Terri Perrin, petitioners, came forward. Chairman McGuirk said his family owns a house identical to this one. He said this is in full disclosure and he would step down if the petitioners so desire. Mr. and Mrs. Perrin said that would not be necessary.

Mr. Perrin said the proposed changes would upgrade the property. He went through the five criteria and said he felt they had been met.

Questions from the Board

Mr. St. Pierre asked about the hardship. Ms. Perrin said the hardship would be not being able to use their property the way they desire.

Comments from the Audience

There were no comments from the Audience.

Back to the Board

Moved by Mr. Provencal, seconded by Mr. Lessard, to grant Petition 08-13.

Chairman McGuirk asked the Board if they felt the five criteria had been met. All members agreed that they had.

Vote: 4 yes, 0 no. Motion passed unanimously.

BUSINESS SESSION

Adoption of Minutes

Moved by Mr. St. Pierre, seconded by Mr. Provencal, to approve the Minutes of January 17, 2013, as amended.

Vote: 4 yes, 0 no. Motion passed unanimously.

Amendments made were as follows:

Page 2, second paragraph from bottom, last sentence: The word “new” should be replaced with the word “existing”.

Page 4, last paragraph, last sentence: “BS” should be replaced by “RA”.

Motion for Rehearing for Petition 55-12, 27 Hobson Avenue

Mr. St. Pierre noted that there had been incorrect statements in regards to this Petition. Mr. Schultz said various requests for this were denied in the past starting in the 1970's. There was a rehearing request which was denied unanimously in 1980. A variance was granted to raise the roof line on August 21, 1980.

Chairman McGuirk said nothing new has been brought to the Board's attention to warrant a rehearing.

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Moved by Mr. Provencal, seconded by Mr. Lessard, to deny the Petition for Rehearing for Petition 55-12, 27 Hobson Avenue.

Vote: 4 yes, 0 no. Motion passed unanimously.

The Meeting was adjourned at 9:00 p.m.

Respectfully submitted,

Joan Rice
Secretary